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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,687	08/20/2003	Kim Simelius	881A.0013.U1(US)	8280
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HARRINGTON & SMITH, LLP 4 RESEARCH DRIVE SHELTON, CT 06484-6212			SYED, FARHAN M	
			ART UNIT	PAPER NUMBER
			2165	

DATE MAILED: 02/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/645,687	Applicant(s) SIMELIUS ET AL.	
	Examiner Farhan M. Syed	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20060207</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-22 are pending.

Specification

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Drawings

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: items 216-218 in Figure 2; item 309 in Figure 3. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: items 200 and 225 in Figure 2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is

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being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, 12-20, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al (U.S. Patent No. 6,324,544 and known hereinafter as Alam) in view of Champagne et al (U.S. Patent Pub. No. 2005/0086199 and known hereinafter as Champagne).

As per claims 1, 15, and 22, Alam teaches a method for synchronizing data between a first electronic device and a second electronic device, said devices being capable of communication with each other (i.e. *"In order to accomplish synchronization, synchronization components 24 and 36 run on mobile device 12 and desktop computer 14, respectively. The synchronization components communicate with application programs 16, 18, 28 and 30 (or directly with the associated object stores) through well defined interfaces (discussed in greater detail below) to manage communication and synchronization."* The preceding text clearly indicates that the first device is the desktop computer and the second device is the mobile device.)(column 5, lines 28-34),

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characterized by the method comprising; forming a data item for the first time into the first electronic device (i.e. *"Sync engine 36 on desktop 14 also includes a synchronization manager 148 coupled to an associated reference store 150 and also coupled to application programs, including PIM sync provider 152 and file sync provider 154."* The previous text clearly indicates that the associated reference store is the forming of a data item for the first time into the first electronic device, which is the desktop.)(column 9, paragraph 56-60)

Alam does not explicitly teaches a method in response to forming, associating said formed data item to an identifier, said identifier being associable to at least one other data item for grouping said data items, selecting at least one identifier, and synchronizing data items between said first electronic device and said second electronic device on the basis of said at least one selected identifier.

Champagne teaches a method in response to forming, associating said formed data item to an identifier (i.e. *"The category of a field defines the type of information the field is designed or meant to contain."* The preceding text clearly indicates that the formed data item is the type of information the field is designed or meant to contain and the identifier is the category.)(page 3, paragraph 36), said identifier being associable to at least one other data item for grouping said data items (i.e. *"In other embodiments, the field identification protocol provides a list of field categories for a selected group of databases or for those databases designed to conform to the protocol."* The previous text clearly indicates that a list of field categories (identifiers) for grouping of data items, which are contained in the grouping of databases.)(page 3, paragraph 36), selecting at least one identifier, and synchronizing data items between said first electronic device and said second electronic device on the basis of said at least one selected identifier (i.e. *"In a third aspect, in order to transmit data between two databases, information identifying the record structure of one of the two databases is transmitted to a computer program. This transmitted information identifies*

both the categories and the properties of a plurality of fields of the record structure of one of the two databases. Data stored in a plurality of fields of a plurality of the records of the first database is then transmitted from one of the two databases to the other one of the two databases. The transmitted data is then processed using the identifying information." The preceding text clearly indicates that synchronizing data is transmitting data from the first electronic device, which is the first database, and second electronic device, which is the second database, based on the selected identifier, which is the identifying information.)(page 1, paragraph 11).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method in response to forming, associating said formed data item to an identifier, said identifier being associable to at least one other data item for grouping said data items, selecting at least one identifier, and synchronizing data items between said first electronic device and said second electronic device on the basis of said at least one selected identifier with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 2, Alam does not teach a method characterized by the identifier comprising at least one of the following: text, still picture, moving picture, sound or vibration effect.

Champagne teaches a method characterized by the identifier comprising at least one of the following: text, still picture, moving picture, sound or vibration effect (i.e. "As mentioned, a field identification protocol provides a syntax for remote and host data transfer programs 22, 42 to communicate with one another the data structure of their respective databases. Such a syntax includes, for example, assigning to each field category a designation (for example, a numerical,

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alphabetical, or alphanumerical code or name) identifying that field category, such as "Addr" for address, "Tel" for the first telephone number, "Appt:date" for a date field of an appointment type record." The preceding text clearly indicates that numerical, alphabetical, or alphanumerical code or name is a type of text.)(page 3, paragraph 42).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by the identifier comprising at least one of the following: text, still picture, moving picture, sound or vibration effect with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 3, Alam does not teach a method characterized by the identifier is formed by the user of the device or the identifier is retrieved from a network server .

Champagne teaches a method characterized by the identifier is formed by the user of the device or the identifier is retrieved from a network server (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that an identifier such as appointments, "to do" lists, address books, etc., are formed by the user of the device when the user uses the PIM application.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by the identifier is formed by the user of the device or the identifier is retrieved from a network server with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 4 and 16, Alam does not teach a method characterized by, the method further comprising maintaining a register of at least one identifier being associable to at least one data item stored into the memory of the first electronic device.

Champagne teaches a method characterized by, the method further comprising maintaining a register of at least one identifier being associable to at least one data item stored into the memory of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that a personal information manager comprises of a plurality of data items associated to a plurality of identifiers.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, the method further comprising maintaining a register of at least one identifier being associable to at least one data item stored into

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the memory of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 5 and 17, Alam does not teach a method characterized by, said data item is associated to an identifier that is manually selected from the register by a user of the first electronic device.

Champagne teaches a method characterized by, said data item is associated to an identifier that is manually selected from the register by a user of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that a user may manually select general notes, which is the identifier, from the register, which is a PIM application, and within the general notes contains data items, which are general notes records.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said data item is associated to an identifier that is manually selected from the register by a user of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 6 and 18, Alam does not explicitly teach a method characterized by, said data item is associated to an identifier that is automatically selected from the register by the first electronic device.

Champagne teaches a method characterized by, said data item is associated to an identifier that is automatically selected from the register by the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field identification protocol."* The preceding text clearly indicates that the first electronic device may automatically data items associated with appointments, which is an identifier, from the register, which is the PIM application. That is, when a user sets up an appointment, by entering the date and time of the appointment, the user is notified by the electronic device when that date and time occurs.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said data item is associated to an identifier that is automatically selected from the register by the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 7 and 19, Alam does not teach a method characterized by, said data item is associated to an identifier that is formed by a user of the first electronic device.

Champagne teaches a method characterized by, said data item is associated to an identifier that is formed by a user of the first electronic device (i.e. *"The information identifying the record structure of one of the databases identifies the record structure according to a selected field identification protocol identifying the categories and properties of the fields in the record structure of that database."* The preceding text clearly indicates that a data item is contained within a record structure and is associated with an identifier, which are categories.)(Abstract).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said data item is associated to an identifier that is formed by a user of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claims 8 and 20, Alam does not teach a method characterized by, said created identifier is stored to the register of the first electronic device.

Champagne teaches a method characterized by, said created identifier is stored to the register of the first electronic device (i.e. *"In the case of personal information manager (PIM) applications, several types of databases are typically used, where the type of a database corresponds to the type of data stored in the database: appointments, "to do" lists, address books, expense records, general notes records, and e-mails. For these types of databases, a field identification protocol preferably provides a comprehensive list of field categories such that the fields of most, if not all, of commercially available PIM databases can be categorized according to the categories in the field*

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identification protocol." The preceding text clearly indicates that the created identifiers are appointments, 'to do' lists, address books, etc., and are stored to the register, which is the database.)(page 3, paragraph 36).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said created identifier is stored to the register of the first electronic device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 12, Alam teaches a method characterized by, said identifier comprises an icon to be visually presented to the user of the first device (i.e. *"A user may enter commands and information into the desktop computer 14 through input devices such as a keyboard 40, pointing device 42 and microphone 43. Other input devices (not shown) may include a joystick, game pad, satellite dish, scanner, or the like. These and other input devices are often connected to the processing unit 62 through a serial port interface 46 that is coupled to the system bus 66, but may be connected by other interfaces, such as a sound card, a parallel port, game port or a universal serial bus (USB) A monitor 47 or other type of display device is also connected to the system bus 66 via an interface, such as a video adapter 48."* The preceding text clearly indicates that an icon is a type of command or information entered by a user and a monitor is a display device that allows the visually presentation.)(column 6, lines 54-66).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said identifier comprises an icon to be visually

presented to the user of the first device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 13, Alam teaches a method characterized by, said identifier further comprising text to be visually presented to the user of the first device (i.e. *"A user may enter commands and information into the desktop computer 14 through input devices such as a keyboard 40, pointing device 42 and microphone 43. Other input devices (not shown) may include a joystick, game pad, satellite dish, scanner, or the like. These and other input devices are often connected to the processing unit 62 through a serial port interface 46 that is coupled to the system bus 66, but may be connected by other interfaces, such as a sound card, a parallel port, game port or a universal serial bus (USB) A monitor 47 or other type of display device is also connected to the system bus 66 via an interface, such as a video adapter 48."* The preceding text clearly indicates that a text is a type of command or information entered by a user and a monitor is a display device that allows the visually presentation.)(column 6, lines 54-66).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said identifier further comprising text to be visually presented to the user of the first device with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 14, Alam does not teach a method characterized by, said identifier further comprising information of those data items associated to said identifier.

Champagne teaches a method characterized by, said identifier further comprising information of those data items associated to said identifier (i.e. *"A field*

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identification protocol provides a syntax for identifying and communicating characteristics of a field of a database. It provides two types of information: information identifying a "category" for the field and information identifying a "property" of a field. The preceding text clearly indicates that an identifier is a category and the information of those data items associated to the identifier is the properties.)(page 3, paragraph 35).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne to include a method characterized by, said identifier further comprising information of those data items associated to said identifier with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

3. Claims 9-11 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alam et al (U.S. Patent No. 6,324,544 and known hereinafter as Alam) in view of Champagne et al (U.S. Patent Pub. No. 2005/0086199 and known hereinafter as Champagne) and in further view of Huskin (U.S. Patent No. 6,141,663).

As per claims 9 and 21, Alam and Champagne do not explicitly teach a method characterized by, a user of the first electronic device selects the identifier for the synchronization manually.

Hunkins teaches a method characterized by, a user of the first electronic device selects the identifier for the synchronization manually (i.e. *"Manual Update. Each of the databases containing redundant data can be viewed as islands of automation. Information that is common to all can be updated by manually entering the information into each of the separate databases.*

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This is an extremely common method." The previous text clearly indicates that synchronization occurs manually.)(column 2, lines 49-53).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne and further with the teachings of Hunkins to include a method characterized by, a user of the first electronic device selects the identifier for the synchronization manually with the motivation to efficiently overcome problems associated with synchronizing files.

(Alam, column 3, lines 18-19).

As per claim 10, Alam and Champagne do not explicitly teach method characterized by, the first electronic device selects the identifier for the synchronization automatically.

Hunkins teaches a method characterized by, the first electronic device selects the identifier for the synchronization automatically (i.e. *"It is an object of the present invention to allow redundant data to be updated automatically, without human intervention, in order to provide and preserve data integrity and synchronization."* The preceding text clearly indicates that synchronization occurs automatically.)(column 4, lines 12-16).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne and further with the teachings of Hunkins to include a method characterized by, the first electronic device selects the identifier for the synchronization automatically with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

As per claim 11, Alam and Champagne do not explicitly teach a method characterized by, the first electronic device performs the synchronization periodically.

Hunkins teaches a method characterized by, the first electronic device performs the synchronization periodically (i.e. *"When the scheduled time is reached, the preferred embodiment begins processing each Change Object one by one. Each Change Object is asked for its database references. With this information, all available Format files, like those listed in 1c are scanned to see if the changed data is also appearing in an outside data file. If it is, the external data file is located with the link file as shown 1e and the Format file is used to surgically update the external data file. Since the complete format is now known, this is a manageable problem. When the project file is completed and all Change Objects have been executed, all external data files are synchronized to the common database."* The preceding text clearly indicates that periodically is a schedule time.)(column 8, lines 6-18).

It would have been obvious to a person of ordinary skill in the art at the time of Applicant's invention to modify the teachings of Alam with the teachings of Champagne and further with the teachings of Hunkins to include a method characterized by, the first electronic device performs the synchronization periodically with the motivation to efficiently overcome problems associated with synchronizing files. (Alam, column 3, lines 18-19).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Farhan M. Syed whose telephone number is 571-272-7191. The examiner can normally be reached on 8:30AM-5:00 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

FMS

Apurva
Apurva Mojiz
Primary Examiner
TC 2100